

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JULIE DALESSIO, an individual,

Plaintiff,

v.

UNIVERSITY OF WASHINGTON, a
Washington Public Corporation; ELIZA
SAUNDERS, Director of the Office of
Public Records, in her personal and official
capacity; ALISON SWENSON, Compliance
Analyst, in her personal capacity; PERRY
TAPPER, Public Records Compliance
Officer, in his personal capacity; ANDREW
PALMER, Compliance Analyst, in his
personal capacity; JOHN or JANES DOES
1-12, in his or her personal capacity,

Defendants.

No. 2:17-cv-00642-MJP

DECLARATION OF ELIZA
SAUNDERS IN SUPPORT OF
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

I, Eliza Saunders, declare as follows:

1. I am over the age of 18, and am otherwise competent to testify as to all matters herein, and make the following statements based on my own personal knowledge.
2. I am the Director of the Office of Public Records and Open Public Meetings, often referenced as "OPR," and have served in this capacity since 1998. I received a Master's degree in Public Relations from Boston University and obtained my Bachelor's degree in American History from the University of California, Santa Barbara.
3. As Director, I manage the staff of the OPR, who oversee the University's compliance with the Public Records Act ("PRA", RCW 42.56) and the Open Public

**DECLARATION OF ELIZA SAUNDERS IN SUPPORT
OF DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT - 1**
2:17-cv-00642-MJP

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1 Meetings Act. The OPR acts as a clearing house for requests for records from the public.
2 The requested records are generally not housed in our office. The OPR's role could be
3 described as facilitator and coordinator of the requests for other records.

4 4. As a State agency, the University of Washington is subject to the Public
5 Records Act. This statute requires the University to provide open access to public records
6 unless an exemption to disclosure applies. The exemptions are listed in the PRA itself, and
7 OPR staff use a "glossary" of PRA exemptions as a guideline. Attached as **Exhibit A** is a
8 copy of that glossary (UW002953-002959).

9 5. The PRA mandates that an agency disclose public records responsive to a
10 request unless an exemption supports redaction or withholding of that record. The
11 University takes this obligation seriously and can face significant monetary penalties, as
12 well as costs including reasonable attorneys' fees if it is found to have improperly withheld
13 or exempted records or information in records.

14 6. The OPR has a specific process that staff follow upon receipt of a PRA
15 request. The office typically logs the request as soon as practicable, and acknowledges its
16 receipt within five business days. The assigned Compliance Analyst determines which
17 University department(s) are most likely to possess the requested records, and forwards the
18 request to those department(s). Each department typically has employees designated as a
19 PRA liaison or other employee who is familiar with the PRA and their department's record-
20 keeping system. The departments are also provided instructions to immediately preserve all
21 potentially responsive documents and to immediately identify all locations where a record
22 that may be responsive might be found, and if any are located how to transmit them to the
23 OPR. The departments collect and transmit copies of the records to the OPR, where the
24 assigned analyst reviews them for disclosure if allowed by law, or withholds or redacts
25 what appears to be exempt information. Attached as **Exhibit B** are examples of email
26 requests and instructions sent by OPR staff regarding the Betz request. I have reviewed

1 them and they are typical of PRA search requests sent to various department liaisons at the
2 University (UW002001-UW002002).

3 7. Alison Swenson and Andrew Palmer are employed as Compliance Analysts,
4 and Perry Taper is employed as a Compliance Officer in the OPR. All of these employees
5 have undergone lengthy training, supervision, and mentoring in the process of receiving,
6 logging, tracking, and responding to PRA requests. The training consists of “on the job”
7 training that lasts at least the first six months of their employment, during which they are
8 trained to identify possible exemptions that may justify nondisclosure. In addition, analysts
9 complete trainings provided by the Washington Attorney General’s Office, attend
10 Washington Association of Public Records Officers (WAPRO) conferences, and may
11 receive specialized updates from the Attorney General’s Office regarding changes in case
12 law. Analysts may also ask questions to supervisors and often discuss application of PRA
13 exemptions to various documents they process. The OPR receives approximately 800 PRA
14 requests and reviews approximately 4 million pages of records each year prior to disclosure.
15 The OPR has created a system that allows tracking the flow of requests in the office and
16 number of days between each event in the response process.

17 8. I did not personally review, prepare, produce, or redact documents in
18 response to PR-2015-00570 (the Betz request).

19 9. I did not personally review, prepare, produce, or redact documents in
20 response to PR-2016-218, PR2016-760 or any other public records requests submitted by
21 Plaintiff Julie Dalessio.

22 10. Prior to this lawsuit, I was not personally involved in or aware of a 2003
23 separation agreement between Julie Dalessio and the University of Washington, or any
24 terms of the Agreement.

25 11. The University of Washington employs more than 31,000 faculty and staff at
26 any one time, located at three main campuses (Seattle, Tacoma and Bothell) and various
27

1 facilities located throughout the Puget Sound area. This does not include the thousands of
2 students, programs, activities and former employees about whom or which information may
3 be stored and/or requested pursuant to the PRA.

4
5 I declare under penalty of perjury under the laws of the State of Washington that the
6 foregoing is true and correct to the best of my knowledge.

7
8 DATED this 24th day of October, 2018, at Seattle, Washington.

9
10 
11 Eliza Saunders

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorneys for Plaintiff

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DATED: October 25, 2018

/s/ Jayne L. Freeman

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